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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
UTAMA, ROBERT J

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

ED

	Application No.	Applicant(s)
Office Action Summary	09/820,589	DOLLINS ET AL.
	Examiner	Art Unit	
	Robert J. Utama	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>06 July 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-3</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-3</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)   Office Action Summary   Part of Paper No./Mail Date 20070719

DETAILED ACTION

1.   This office action is a response to the amendment filed on: 07/06/2007.   The current

status of claim is as follow: claims 1-3 are still pending. No claim has been cancelled or

withdrawn from consideration.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form

the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described
> in a printed publication in this or a foreign country, before the invention thereof by the
> applicant for a patent.

3.   **Claim 1-3 rejected under 35 U.S.C. 102(a) as being anticipated by O'connor et al US**

6,535,861.

Claim 1: O'Connor '861 provide a teaching of an interactive training system that provides

scenario that defined a list of role or task is defined and explained to the trainee (col. 40:60 –

41:5). O'Connor '861 also provide a teaching where a scenario is used to illustrate a

progression of information (i.e: a series of event) where the student can apply the role and task

that has been taught (col. 41:10-25). O'Connor 861 provide a teaching for a guidance program

where a selected portion of the application is shown to the user and steps of the business

process is identified and explained to the trainee (col. 41:40-50, col. 42:55-62 and FIG. 2 item

234). This scenario instruction is presented to the student in a variety of graphical or textual

mean (see FIG. 15 and col 2:55-60). Additionally, evidence of an integrated learning tool

including a model of business process include stage of role and task linked to an application

system (see col. 11:15-56); series of roles and task of the business process supported by

guidance from the integrated toll wherein selected portion are accessed (see col. 41:10-25) and

scenario provides instruction through the content which defines the roles and demonstrate the

action necessary to complete the task through graphical or textual mean (see col. 41:1-40 and

FIG. 26)

Claim 2: O'Connor '861 provide a teaching of an interactive training system that provides

scenario that defined a list of role or task is defined and explained to the trainee (see O'Connor

861 col. 40:60 – 41:5). O'Connor '861 also provide a teaching where a scenario is used to

illustrate a progression of information (i.e: a series of event) where the student can apply the

role and task that has been taught (col. 41:10-25). O'Connor 861 provide a teaching for a

guidance program where a selected portion of the application is shown to the user and steps of

the business process is identified and explained to the trainee (col. 41:40-50, col. 42:55-62 and

FIG. 2 item 234). O'Connor '861 scenario also includes a task stage, where the student is

taught and tested on materials he/she needed to fufill the task (col.41:40-47), and action stage

which includes a supplementary function which provide teaching for function supporting the

main process function and outside the of the main process function (col. 41:50-59 see war

stories or other links). This scenario instruction is presented to the student in a variety of

graphical or textual mean (see FIG. 15 and col 2:55-60). Additionally, evidence of an integrated

learning tool including a model of business process include stage of role and task linked to an

application system (see col. 11:15-56); series of roles and task of the business process

supported by guidance from the integrated toll wherein selected portion are accessed (see col.

41:10-25) and scenario provides instruction through the content which defines the roles and

demonstrate the action necessary to complete the task through graphical or textual mean (see

col. 41:1-40 and FIG. 26)

Claim 3: O'Connor '861 provide a teaching of an interactive training system that provides

scenario that defined a list of role or task is defined and explained to the trainee (see O'Connor

861 col. 40:60 – 41:5). O'Connor '861 also provide a teaching where a scenario is used to

illustrate a progression of information (i.e: a series of event) where the student can apply the

role and task that has been taught (col. 41:10-25). O'Connor 861 provide a teaching for a

guidance program where a selected portion of the application is shown to the user and steps of

the business process is identified and explained to the trainee (col. 41:40-50, col. 42:55-62 and

FIG. 2 item 234). O'Connor '861 scenario also provide the option of selection process function

categories and its related supplementary function (col. 41:45-50) and these process function

can also include more manipulation of the application system (col. 41:48-50 Domain module

manipulation). This scenario instruction is presented to the student in a variety of graphical or

textual mean (see FIG. 15 and col 2:55-60). Additionally, evidence of an integrated learning

tool including a model of business process include stage of role and task linked to an

application system (see col. 11:15-56); series of roles and task of the business process

supported by guidance from the integrated toll wherein selected portion are accessed (see col.

41:10-25) and scenario provides instruction through the content which defines the roles and

demonstrate the action necessary to complete the task through graphical or textual mean (see

col. 41:1-40 and FIG. 26) and action types required by the business process are demonstrated

(col. 41:40-50, col. 42:55-62 and FIG. 2 item 234).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a
> whole would have been obvious at the time the invention was made to a person having
> ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

5.   **Claim 1 and 3 are rejected under 35 U.S.C. 103(a) as being unpatenable over**

McMenimen et al US 6,514,079 and in view of Judd et al US 5,602,982.

Claim 1: McMenimen '079 provide a teaching of an interactive training system that provides

scenario that defined a list of role or task is defined and explained to the trainee (see

McMenimen col. 5:35-41 and FIG.3). McMenimen '079 also provide a teaching where a

scenario is used to illustrate a progression of information (i.e: a series of event) where the student can apply the role and task that has been taught. The scenario instruction is demonstrated using a variety of graphical, audio and textual mean (McMenimen col. 4:36-40). McMenimen is silent whether the series of roles and task of the business process is supported with guidance where a selected portion of application is accessed and steps of the business process are identified and defined.

Judd '982 provide a teaching where during the training session that is equipped with an integrated learning tool with a guidance program where a selected portion of the application is shown to the user and steps of the business process is identified and explained to the trainee (see Judd '982 col. 4:30-52 and FIG. 2-4H). Therefore, it would have been obvious to combine the system McMeninem '079 with the teaching of showing a selected portion of the application and providing a step by step instruction to the user as taught by Judd '982. One of ordinary skilled in the art would have been motivated to make this combination since it would allow the system to enable the trainee to learn with an application that simulates the capability and function of the application he/she will see in the field (see Judd '982 Col.2:30-50).

Claim 3: McMenimen '079 provide a teaching of an interactive training system that provides scenario that defined a list of role or task is defined and explained to the trainee (see McMenimen col. 5:35-41 and FIG.3). McMenimen '079 also provide a teaching where a scenario is used to illustrate a progression of information (i.e: a series of event) where the student can apply the role and task that has been taught. The scenario instruction is demonstrated using a variety of graphical, audio and textual mean (McMenimen col. 4:36-40). McMenimen is silent whether the series of roles and task of the business process is supported with guidance where a selected portion of application is accessed and steps of the business process are identified and defined. McMenimen also lacks teaching on where the user has the option to select a number of process function categories.

Judd '982 provide a teaching where during the training session that is equipped with an

integrated learning tool with a guidance program where a selected portion of the application is

shown to the user and steps of the business process is identified and explained to the trainee

(see Judd '982 col. 4:30-52). Judd '982 also provide a teaching where the user have the option

to select a number of process function categories (see Judd '982 FIG. 1 and col. 4:21-30) where

each categories contain a series of role and task to be identified and explained to the trainee

(Judd '982 col. 4:30-52). Therefore, it would have been obvious to combine the system

McMeninem '079 with the teaching of showing a selected portion of the application and

providing a step by step instruction to the user as taught by Judd '982. One of ordinary skilled

in the art would have been motivated to make this combination since it would allow the system

to enable the trainee to learn with an application that simulates the capability and function of

the application he/she will see in the field (see Judd '982 Col.2:30-50).

6.   **Claim 2 rejected under 35 U.S.C. 103(a) as being unpatentable over McMenimen et**

al US 6,514,079, in view of Judd et al US 5,602,982 and further in view of Rice

5,788,504

Claim 2: McMenimen '079 provide a teaching of an interactive training system that provides

scenario that defined a list of role or task is defined and explained to the trainee (see

McMenimen col.5:35-41 and FIG.3). McMenimen '079 also provide a teaching where a

scenario is used to illustrate a progression of information (i.e: a series of event) where the

student can apply the role and task that has been taught. The scenario instruction is

demonstrated using a variety of graphical, audio and textual mean (McMenimen col. 4:36-40).

McMenimen is silent whether the series of roles and task of the business process is supported

with guidance where a selected portion of application is accessed and steps of the business

process are identified and defined.

Judd '982 provide a teaching where during the training session that is equipped with an integrated learning tool with a guidance program where a selected portion of the application is shown to the user and steps of the business process is identified and explained to the trainee (see Judd '982 col. 4:30-52 and FIG. 2-4H). Therefore, it would have been obvious to combine the system McMeninem '079 with the teaching of showing a selected portion of the application and providing a step by step instruction to the user as taught by Judd '982. One of ordinary skilled in the art would have been motivated to make this combination since it would allow the system to enable the trainee to learn with an application that simulates the capability and function of the application he/she will see in the field (see Judd '982 Col.2:30-50).

Both reference McMenimen and Judd lacks the feature of a cross functional links to a supplementary function where the supplementary function support the primary process function and is outside the process function task. However, Rice '504 teaches of a training system where the scenario also includes link to a supplementary function (i.e: Miscellaneous duties) and the miscellaneous duties is outside the process function task (see Rice '504 FIG. 6 item 201). Therefore, it would have been obvious to further modify the teaching of McMenimen and Judd with the teaching of Rice '504. One of ordinary skilled in the art would have been motivated to make this combination since it would allow the system to enable the trainee to be train of all aspect of his/her responsibilities.

Response to Arguments

7.   Applicant's arguments filed 07/06/2007 have been fully considered but they are not persuasive. In response to the applicant's argument that the examiner citation do not anticipate applicant's specification as presented in the applicant's argument of page 7 and that there is no teaching or description of process learning aid that comprises of integrated tool where a business processes is supported and task are completed. While these elements can be found in the specification, these limitations were not presented in the claim language. Though

understanding the claim language may be aided by explanations contained in the written

description, it is important not to import into a claim limitations that are not part of the claim.

(See MPEP 2111.01 part II) See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir.

1993).

8.   With respect to applicant's argument that the O'Connor reference fails to provide a

teaching on a process learning aided that comprises of an integrated tool from which the

business process is supported and task are completed. However, the contested limitation is

not present in the latest claim language of claim 1-3. As such are not relied upon in the

patentability analysis. The applicant also argues that the O'Connor reference failed to provide

a support of having an integrated tool (see O'Connor col. 11:55-12:7 of integration of different

learning component), wherein roles and task are supported by guidance (see col. 41:40-50) and

action type required are demonstrated (see 42:55-62 and col. 137:57-67).

9.   Similarly, the applicant's argument with regards to the combination of McMenimen,

Judd and Rice as failing to provide a teaching on a process learning aided that comprises of an

integrated tool from which the business process is supported and task are completed.

However, the contested limitation is not present in the latest claim language of claim 1-3. As

such, the limitation are not given patentable weight in the patentability consideration.

10.   Additionally, the applicant attacked the McMenimen reference since it fails to provide a

teaching on integrating the learning tool into the business process as identified in the examiner

previous office action and attacked the Judd reference since it lacks other features which can

be found in the McMenimen reference. However, one cannot show nonobviousness by

attacking references individually where the rejections are based on combinations of references.

See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091,

231 USPQ 375 (Fed. Cir. 1986).

Conclusion

11.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy

as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Robert J. Utama whose telephone number is (571) 272-1676.

The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Robert PEZZUTO can be reached on (571)272-6996. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you

would like assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RU

RONALD LANEAU
PRIMARY EXAMINER

8/8/07